IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 29TH NOVEMBER 2007 / 8TH AGRAHAYANA 1929

WP(C).No. 32499 of 2005(R)

PETITIONER:

THRESIAMMA AUGUSTINE,
W/O. M.P. AUGUSTINE, AGED 65 YEARS,
MENACHERY HOUSE, H.B. FLATS,
312, 2ND FLOOR, PANAMPILLY NAGAR, COCHIN-36.

BY ADV. SRI.M.RAMESH CHANDER

RESPONDENTS:
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1. DISTRICT COLLECTOR, ERNAKULAM.

2. DEPUTY TAHSILDAR (R.R.), COCHIN.

3. ASSISTANT EXCISE COMMISSIONER,
ERNAKULAM.

BY G.P. SRI. T.B. REMANI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 PHOTOSTAT COPY OF THE NOTICE DATED NIL.

EXT.P2 PHOTOSTAT COPY OF THE NOTICE DATED 18.7.2005

EXT.P3 TRUE COPY OF THE REPRESENTATION TO THE 1ST RESPONDENT DATED 19.11.2005

RESPONDENTS' EXHIBITS: NIL.

TRUE COPY

P.S. TO JUDGE.

C.N. RAMACHANDRAN NAIR, J.

W.P.C. NO. 32499 OF 2005

Dated this the 29th day of November, 2007

JUDGMENT

Petitioner's case is that petitioner does not hold any property of defaulter-husband against whom Rs. 10 lakhs is sought to be recovered towards compensation. The compensation amount is stated to be the amount paid by Government to victims of Vypeen Liquor tragedy, wherein petitioner's husband was a convict. This court vide interim order dated 22.11.2005 interdicted the Government from attaching the movables from the petitioner's house, which is stated to be a rented premises. No counter affidavit is so far filed. In any case, respondents have no authority to proceed against the petitioner personally and against her properties. W.P. is accordingly disposed of leaving freedom to the respondents to identify the property of the defaulter and proceed for recovery.

(C.N. RAMACHANDRAN NAIR)
Judge